



**FAUQUIER COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
OFFICE OF ZONING, PERMITTING, AND INSPECTIONS
(540) 347-8789**

TO: Brian K Davis, Senior Planner
FROM: Doug Morgan, Senior Planner
DATE: May 9, 2002
APPLICATION: Berta F. Lunau (Biritos)
PIN #: 6869-48-2575-000
ZONING DISTRICT: RA (Agriculture)
PROPOSED USE: Special Exception under Category 29, which would allow for a waiver of public street requirement in residential zones.
MAGISTERIAL DISTRICT: Lee
ADJACENT ZONING DISTRICTS:
NORTH RA (Agriculture)
SOUTH RA (Agriculture)
EAST RA (Agriculture)
WEST RA (Agriculture)

ADDITIONAL COMMENTS

In accordance with Sections 3-200.2 of the Fauquier County Zoning Ordinance, this property is located in a district that contains the areas where agriculture and forestry are the predominant uses or where significant agricultural lands or large lot farmette type residential development exists.

- 2 In accordance with Section 3-403 of the Fauquier County Zoning Ordinance, the minimum lot width required is 400 feet.
- 3 In accordance with Section 3-404 and 3-405 of the Fauquier County Zoning Ordinance, the minimum yard requirements are 75 feet from the centerline of the right-of-way, and 25 feet from the side and rear property lines. The Building

Restriction Lines must be provided on the proposed lot in accordance with the note provided on the plan.

- 4 In accordance with Section 7-302 1. A. Of the Fauquier County Zoning Ordinance, private streets within a development shall be limited to those streets which are not required or design to provide access to adjacent properties or the remainder of the tract being developed, or other streets, as determined by the Commission.
- 5 In accordance with Section 7-306, the plat of any subdivision containing a private street(s) shall have boldly printed thereon and be included as a covenant in each deed for a lot in the subdivision the following statement:

THE PRIVATE STREET IN THIS SUBDIVISION WILL NOT BE PAVED OR MAINTAINED WITH FUNDS OF FAUQUIER COUNTY OR FUNDS ADMINISTERED BY THE VIRGINIA DEPARTMENT OF HIGHWAYS AND TRANSPORTATION. IN THE EVENT THAT OWNERS OF LOTS IN THE SUBDIVISION SUBSEQUENTLY DESIRE THE ADDITION OF SUCH PRIVATE STREETS TO THE SECONDARY SYSTEM OF STATE HIGHWAYS FOR MAINTENANCE, THE COST TO UPGRADE IT TO THE PRESCRIBED STANDARDS MUST BE PROVIDED FROM FUNDS OTHER THAN THOSE ADMINISTERED BY THE VIRGINIA DEPARTMENT OF TRANSPORTATION OF FAUQUIER COUNTY. PRIVATE STREETS IN THIS SUBDIVISION ARE NOT DEDICATED FOR PUBLIC USE.
6. In accordance with Section 7 part 3 of the Fauquier County Zoning Ordinance, the applicant must identify the type of street to be provided. Must identify Type I, Type II, or Type III.
- 7 In accordance with Section 7-305 of the Fauquier County Zoning Ordinance, the applicant must identify on the plan and record an Ingress and Egress Easement for public emergency and maintenance vehicles. Such easements shall be recorded with the instruments, which create the private streets.
8. In accordance with Section 7-603.2 of the Fauquier County Zoning Ordinance, the preservation of trees and tree canopy, as well as attention given to street trees either remaining or to be planted along the private street should be addressed with a note that this will be done with the submission of the final plats.
- 9 There are no known violations on the property
10. This property is not located in an Agriculture and Forestal district